

ASSEMBLY BILL

No. 673

Introduced by Assembly Member Carter

February 25, 2009

An act to amend Section 52335.4 of the Education Code, relating to regional occupational centers or programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 673, as introduced, Carter. Regional occupational centers or programs: apportionments.

Existing law prescribes a formula for the apportionment of funds to regional occupational centers or programs. This formula requires the Superintendent of Public Instruction to calculate the funded growth average daily attendance for each regional occupational center or program (ROC/P).

This bill would require, if the growth average daily attendance funded in the annual Budget Act for any fiscal year is a negative adjustment, that the existing formula for the calculation of the funded growth average daily attendance for ROC/Ps be inoperative for that fiscal year, and that the growth average daily attendance be calculated as a percentage reduction and allocated to each ROC/P as an equivalent percentage reduction to the cap on the average daily attendance of that ROC/P.

The bill would also require, for the 2009–10 fiscal year, that the Superintendent of Public Instruction recalculate the prior year average daily attendance for each regional occupational center or program pursuant to a prescribed statute to apply a percentage reduction equal to the 0.55% applied in the Budget Act of 2008.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 52335.4 of the Education Code is amended to read:

52335.4. The Superintendent of ~~Public Instruction~~ shall determine each ROC/P's share of funded growth average daily attendance by computing the sum of subdivisions (a), (b), and (c):

(a) Subtract the ROC/P's annual units of funded average daily attendance for the prior year from the ROC/P's annual units of funded average daily attendance for the second prior year. If the amount computed pursuant to this subdivision is negative, it shall be deemed to be zero.

(b) Allocate 25 percent of the allowable growth average daily attendance funded in the Budget Act to low participation ROC/P's, pursuant to criteria established by the Superintendent of ~~Public Instruction~~.

(c) (1) Subtract the statewide sum of the growth average daily attendance computed pursuant to subdivisions (a) and (b) from the allowable growth in average daily attendance funded in the Budget Act. If the amount computed is negative, it shall be deemed to be zero.

(2) (A) Calculate the ROC/P's pro rata share of the funded growth average daily attendance calculated pursuant to paragraph (1), based on the prior year average daily attendance in grades 9 to 12, inclusive, for the school districts served by the ROC/P in relation to the total statewide prior year average daily attendance in grades 9 to 12, inclusive. For purposes of the calculation required by this paragraph, the Superintendent of ~~Public Instruction~~ shall use the average daily attendance reported for the second principal apportionment of the prior year.

(B) In calculating the pro rata share of funded growth average daily attendance, the Superintendent of ~~Public Instruction~~ shall ensure that each ROC/P is provided at least 10 units of allowed growth average daily attendance pursuant to subdivisions (b) and (c).

(d) (1) It is the intent of the Legislature that each ROC/P use its share of funded growth average daily attendance provided pursuant to this section to serve pupils in grades 9 to 12, inclusive, unless the governing board or governing boards of the school

1 district or districts overseeing the ROC/P determine that the needs
2 of pupils in grades 9 to 12, inclusive, have been met.

3 (2) It is the intent of the Legislature that, if a determination is
4 made pursuant to paragraph (1) that the needs of pupils in grades
5 9 to 12, inclusive, have been met, then the governing board or
6 governing boards of the school district or districts overseeing the
7 ROC/P may authorize the ROC/P to use its share of funded growth
8 average daily attendance provided pursuant to this section to serve
9 adults.

10 *(e) Notwithstanding subdivisions (a) to (d), inclusive, if the*
11 *growth average daily attendance funded in the annual Budget Act*
12 *for any fiscal year is a negative adjustment, subdivisions (a) to*
13 *(d), inclusive, shall not be operative for that fiscal year. That*
14 *negative adjustment in the annual Budget Act shall be calculated*
15 *as a percentage reduction, and allocated to each ROC/P as an*
16 *equivalent percentage reduction to the cap on the average daily*
17 *attendance of that ROC/P.*

18 SEC. 2. Notwithstanding any other provision of law, for the
19 2009–10 fiscal year, the Superintendent of Public Instruction shall
20 recalculate the prior year average daily attendance for each regional
21 occupational center or program pursuant to paragraph (1) of
22 subdivision (a) of Section 52335.2 of the Education Code to apply
23 a percentage reduction equal to the 0.55 percent applied in the
24 Budget Act of 2008.